

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. **EDCV 24-2239-KK-DTBx**

Date: June 13, 2025

Title: *Victor Gonzalez v. FCA US LLC et al.*

Present: The Honorable **KENLY KIYA KATO**, UNITED STATES DISTRICT JUDGE

Noe Ponce

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

Proceedings: (In Chambers) Order to Show Cause

The Court is in receipt of Defendant’s Motion for Summary Judgment (“Motion”). ECF Docket No. (“Dkt.”) 29. As set forth in the Motion and the attached declaration of defense counsel, it appears Plaintiff has abandoned this action. Dkts. 29-2, 29-3. Notably, Plaintiff has failed to file a timely opposition to the Motion. Additionally, Plaintiff failed to comply with his discovery obligations, including failing to appear for his deposition. Dkt. 29 at 5. The Court “may dismiss an action or enter default if a plaintiff willfully, with fault, or in bad faith refuses to appear at a deposition after being served with proper notice[.]” United States v. Uptergrove, No. 1:06CV1630 AWIGSA, 2008 WL 652119, at *8 (E.D. Cal. Mar. 10, 2008) (citing Federal Rule of Civil Procedure 37(d)); see also North Am. Watch Corp. v. Princess Ermine Jewels, 786 F.2d 1447, 1451 (9th Cir. 1986) (affirming an order of dismissal where plaintiff failed to comply with discovery orders).

Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** as to why this action should not be dismissed for failure to prosecute. Fed. R. Civ. P. 41(b). **Plaintiff shall file a response no later than June 20, 2025.** Plaintiff may discharge this Order to Show Cause by filing a voluntary dismissal.

IT IS SO ORDERED.